78B-4-101 Definitions.

As used in this part:

(1) "Damage or injury" includes physical, nonphysical, economic, and noneconomic damage.

(2) "Financially secure source of recovery" means that, at the time of the incident, a nonprofit organization:
  (a) has an insurance policy in effect that covers the activities of the volunteer and has an insurance limit of not less than the limits established under the Governmental Immunity Act of Utah in Section 63G-7-604; or
  (b) has established a qualified trust with a value not less than the combined limits for property damage and single occurrence liability established under the Governmental Immunity Act of Utah in Section 63G-7-604.

(3) "Nonprofit organization" means any organization, other than a public entity, described in Section 501 (c) of the Internal Revenue Code of 1986 and exempt from tax under Section 501 (a) of that code.

(4) "Public entity" has the same meaning as defined in Section 63G-8-102.

(5) "Qualified trust" means a trust held for the purpose of compensating claims for damages or injury in a trust company licensed to do business in this state under the provisions of Title 7, Chapter 5, Trust Business.

(6) "Reimbursements" means, with respect to each nonprofit organization:
  (a) compensation or honoraria totaling less than $300 per calendar year; and
  (b) payment of expenses actually incurred.

(7)
  (a) "Volunteer" means an individual performing services for a nonprofit organization who does not receive anything of value from that nonprofit organization for those services except reimbursements.
  (b) "Volunteer" includes a volunteer serving as a director, officer, trustee, or direct service volunteer.
  (c) "Volunteer" does not include an individual performing services for a public entity to the extent the services are within the scope of Title 63G, Chapter 8, Immunity for Persons Performing Voluntary Services Act, or Title 67, Chapter 20, Volunteer Government Workers Act.

Renumbered and Amended by Chapter 3, 2008 General Session